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While the treatment is notably that of a scholar it is not academic but intensely practical. In this book Dr. Ewart has rendered a real and very substantial service in several branches of the law. This is peculiarly true as to the law of insurance and that of landlord and tenant where the term waiver is almost ubiquitous. Had this book been written a half century earlier many of the vagaries now found in the law of insurance would never have developed. Although the faulty and inaccurate use of this term may not be so outstanding in other branches of the law, it is all too common in that of landlord and tenant and in some other phases of the law of contract.

It is too much to hope that courts are at once going to make clear distinctions between "election" and "waiver," "estoppel" and "waiver," "contract" and "waiver," for "waiver" is too convenient a word for the loose thinking lawyer. But the ideas here promulgated and distinctions drawn are bound gradually to work their way into the law to its real enrichment and to the great satisfaction of the discriminating lawyer.

The reader can by no means afford to miss the scholarly, pungent and characteristic foreword of Professor Pound.

As is appropriate for so good a book it is attractively printed and serviceably bound.

VICTOR H. LANE.

EQUITY IN ITS RELATIONS TO COMMON LAW, by William W. Billson, of the Minnesota Bar. Boston. The Boston Book Company, 1917; pp. xii, 283.

The thesis which this book is written to support is that in the last analysis equitable rights are proprietary. Mr. Billson is under the impression that the contrary teaching of Langdell is still accepted without question in most law schools and that hence the time is come for a careful study of questions "which appear never to have received as systematic discussion as they deserve. . . ." To anyone who is familiar with Dean Pound's masterly exposition of equity, or with Professor Hohfeld's articles, Mr. Billson's thesis will not appear as novel as he naively assumes. His book comes too late to inaugurate a revolution; though the author's conclusions will perhaps find general acceptance, it is because of arguments other than his own. The discussion of the development of equitable interests in Huston's "The Enforcement of Decrees in Equity" is much more convincing.

Had Mr. Billson confined himself to modern cases, his book would be briefer but more valuable. In the last two chapters he shows distinct ability in analysis and his conclusions are stated forcefully. But the foundation upon which he seeks to build is thoroughly unsubstantial. Without any first-hand acquaintance with mediaeval English law he attempts to write history; with a very imperfect knowledge of Roman law he devotes a chapter to "Law's Dualism in Rome and England." The result is what might be anticipated: there is neither history nor comparative law. The weakness of this portion of the book goes far to destroy the usefulness of the whole.

WILLARD BARBOUR.